

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

RUSSELL BAKER,

Plaintiff,

v.

ROBERT PICCIOTTI,

Defendant.

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Civil Action No. 7:06-CV-86 (HL)

ORDER

The Recommendation of United States Magistrate Judge G. Mallon Faircloth, entered November 9, 2009 (Doc. 24), to dismiss the above-captioned case is before the Court. Plaintiff has not filed written objections to the Recommendation, as permitted by 28 U.S.C. § 636(b)(1).

On October 2, 2009, United States Magistrate Judge Richard L. Hodge entered an Order (Doc. 23), directing Plaintiff to show cause within twenty days of the date of his receipt of the order why his complaint should not be dismissed for failing to diligently prosecute the case. Plaintiff did not respond to the show cause order. Further, Plaintiff has not taken any action in this case since April 11, 2008, when he filed a notice of change of address with the Court.

Magistrate Judge Faircloth recommends that this case be dismissed because of Plaintiff's failure to respond to the show cause order and failure to proceed in any substantive way with the litigation of this case in the last year. In the absence of a

timely filed objection, a district court need only satisfy itself that there is no clear error on the face of the record in order to accept a Recommendation put forth by the Magistrate Judge. After having reviewed the record, the Court is satisfied that no clear error has occurred. Therefore, the Recommendation is accepted, and this action is dismissed.

SO ORDERED, this the 10th day of December, 2009.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

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